

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

R.A., JR., etc.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 3:06cv337-WHA
)	
DEPUTY SHERIFF WALTER LACEY,)	
)	
Defendant.)	

ORDER

This case is before the court on Defendant's Sixth Motion in Limine (Doc. #64), filed on April 23, 2007.

This motion is very similar to the Defendant's First Motion in Limine.

To the extent that the motion objects to any reference to medical expenses without first having expert testimony as to both reasonableness and necessity, the motion is GRANTED.

To the extent that such motion might seek to exclude any testimony that the Plaintiff sought and received treatment for bruising and pain caused by the incident, and for the reasons set out in the court's order regarding Defendant's First Motion in Limine, the motion is DENIED. Plaintiff may testify as to his version of the facts, that he suffered pain and bruising in the areas in which he was hit and that he went to doctors and was treated for his complaints. The parents may testify that they took the Plaintiff to the doctors because of his complaints and that the doctors treated him for what he said was wrong with him. This, of course, would be subject

to cross examination as to whether the Plaintiff might have suffered bruising in some way other than by admittedly being hit with a baton by the Defendant.

DONE this 21st day of May, 2007.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON

SENIOR UNITED STATES DISTRICT JUDGE